

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 2051-63
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/522987 unknown
INTERNATIONAL APPLICATION NO. PCT/CA2003/001174	INTERNATIONAL FILING DATE 6 August 2003	PRIORITY DATE CLAIMED 7 August 2002

TITLE OF INVENTION

SOLID COMPOSITIONS COMPRISING GABAPENTIN HAVING IMPROVED STABILITY

APPLICANT(S) FOR DO/EO/US

SHERMAN, Bernard

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
 3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
 4. ☒ The U.S. has been elected (Article 31).
 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto (8 pages specification, claims & abstract (14 claims)).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))
 - a. ☐ is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
 7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. ☐ have not been made and will not be made.
 8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9.
 - a. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 - b. ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
 10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 To 20 below concern document(s) or information included:**
11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
 13.
 - a. ☒ A FIRST preliminary amendment.
 - b. ☐ A SECOND or SUBSEQUENT preliminary amendment.
 14. ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
 15. ☐ A substitute specification.
 16. ☐ A change of power of attorney and/or address letter.
 17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
 18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
 19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
 20. ☒ Other items or information. International Preliminary Examination Report

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.7)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
unknown 10/522987		PCT/CA2003/001174		2051-63	

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):			
<input checked="" type="checkbox"/> a) Basic national fee	\$300.00 (1631)/\$150.00 (2631)	\$	300.00
<input checked="" type="checkbox"/> b) Examination Fee	\$200.00 (1633)/\$100.00 (2633)	\$	200.00
<input checked="" type="checkbox"/> c) Search Fee	\$500.00 (1632)/\$250.00 (2632)	\$	500.00
TOTAL OF ABOVE CALCULATIONS		\$	1000.00

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
8 -100	0 /50 =	0.00	\$0.00 (1681) \$0.00 (2681)

Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than ☐ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).

CLAIMS	NUMBER FILED	# EXTRA	RATE
Total Claims	14 minus 20 =	0 X	\$50.00 (1615)/ \$25.00 (2615)
Independent Claims	1 minus 3 =	0 X	\$200.00 (1614) \$100.00 (2614)
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00 (1616)/\$180.00 (2616)

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)

☐ Applicant claims small entity status. See 37 CFR 1.27.

Processing fee of \$130.00 (1618), for furnishing the English Translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).

TOTAL NATIONAL FEE = \$ 1000.00

Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property +

Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)

TOTAL FEES ENCLOSED = \$ 1000.00

Amount to be: refunded	\$
Charged	\$

a. ☐ A check in the amount of \$1000.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☒ **CREDIT CARD PAYMENT FORM ATTACHED.**

e. ☒ The entire content of International Application No. PCT/CA2003/001174 and any U.S. and foreign application(s) corresponding thereto, and CA 2,395,931, referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494-or-1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS
Direct all correspondence to:

☒ **Customer Number:** **23117**
Type Customer Number here

Telephone: (703) 816-4000
MJW:alb

Mary J. Wilson
Mary J. Wilson
NAME

32,955 **February 2, 2005**
REGISTRATION NUMBER Date